

SUBJECT INDEX

[Titles of Articles are printed in CAPITALS]

ADMINISTRATIVE LAW

- Collateral attack, procedural exclusivity and judicial review
(P. P. Craig) 535

JUDICIAL REVIEW—THE TENSIONS BETWEEN THE EXECUTIVE AND THE JUDICIARY

- (Harry Woolf) 579

ADMIRALTY

- End of an old Admiralty belief
(B. J. Davenport) 169

AUSTRALIA

- Defamation in the course of political discussion—the new common law defence
(F. A. Trindade) 1

- Don't play with matches
(Mark Lunney) 377

- Fiduciaries and discretion
(Stephen Moriarty) 9

- The financier's duty of care to a surety
(C. E. F. Rickett) 17

- Is there a duty to negotiate in good faith?
(Michael Furmston) 362

- Landlord's liability
(Tan Keng Feng) 193

- Self-restraint in the High Court of Australia
(Adrian Briggs) 27

BANKING

- ALLOCATION OF FORGED CHEQUE LOSSES—COMPARATIVE ASPECTS, POLICIES AND A MODEL FOR REFORM
(Professor Benjamin Geva) 250

- Charge-backs and legal fictions
(Roy Goode) 178

- Fashioning the law to suit the practicalities of life
(Richard Calnan) 174

- The financier's duty of care to a surety
(C. E. F. Rickett) 17

- Undue influence: *nullus finis litium*
(N. S. Price) 186

BUILDING

- Prevention of cruelty to contractors?
(I. N. Duncan Wallace) 172

CANADA

- Causation and disclosure of medical risks
(Tony Honore) 52

- Constructive trust for breach of fiduciary obligation
(Lionel Smith) 14

- Contractual relational loss in Canada
(I. N. Duncan Wallace) 370

- The death of *res ipsa loquitur* in Canada
(Mitchell McInnes) 547

- W(h)ither knowing receipt?
(Lionel Smith) 394

COMMERCIAL LAW

- EQUITY'S PLACE IN THE LAW OF COMMERCE
(P. J. Millett) 204

COMPANY LAW

- Unregistered charges and unsecured creditors
(Tan Cheng-Han) 565

CONFLICT OF LAWS

- Anti-suit injunctions—the House of Lords declines to act as international policeman
(Edwin Peel) 543

- CHARACTERISATION REVISITED: AN ESSAY IN THE THEORY AND PRACTICE OF THE ENGLISH CONFLICT OF LAWS
(Christopher Forsyth) 141

- English courts and international insolvency
(P. St. J. Smart) 46

- Jurisdiction over unjust enrichment claims
(Graham Virgo) 386

- Self-restraint in the High Court of Australia
(Adrian Briggs) 27

CONSTITUTIONAL LAW

- Bringing rights home
(Sandra Fredman) 538

CONSTITUTIONAL LAW—*cont.*

- Sovereignty in the new Hong Kong
(Richard S. Kay) 189

CONTRACT

- Affirmation after repudiatory
breach
(G. H. Treitel) 22
- Anchors away
(Gerard McMeel) 43
- Damages in respect of a third party's
loss
(G. H. Treitel) 527
- Is there a duty to negotiate in good
faith?
(Michael Furmston) 362
- Restitutionary damages for breach of
contract
(Mindy Chen-Wishart) 363

CONVEYANCING

- A thoroughly conscionable decision
(Patrick Milne) 555

COPYRIGHT

- INTELLECTUAL PROPERTY AND THE
PROBLEM OF PARODY
(Michael Spence) 594
- Spare parts and copyright
(George Wei) 39

COURTS AND JUDGES

- Anonymous funders and abuse of
process
(Adrian Walters) 207
- Bringing rights home
(Sandra Fredman) 538
- Dissenting reasons in the Judicial
Committee
(R. E. Megarry) 574

- JUDICIAL REVIEW—THE TENSIONS
BETWEEN THE EXECUTIVE AND THE
JUDICIARY
(Harry Woolf) 579

- LAWYERS' DUTIES TO THE COURT
(D. A. Ipp) 63

- QUESTIONS OF LAW
(Timothy Endicott) 292

- Staying a maintained cause of ac-
tion
(David Capper) 563

CRIMINAL LAW

- Collateral attack, procedural exclu-
sivity and judicial review
(P. P. Craig) 535

- Joint enterprise
(Simon Gardner) 202

- Stalking
(Simon Gardner) 33

DAMAGES

- Damages for personal injuries: a sea
change
(David Kemp) 570

- Damages in respect of a third party's
loss
(G. H. Treitel) 527

- Limited liability for breach of fiduci-
ary duty
(Hans Tjio and T. M. Yeo) 181

- Restitutionary damages for breach of
contract
(Mindy Chen-Wishart) 363

DEFAMATION

- Defamation in the course of political
discussion—the new common law
defence
F. A. Trindade 1

MALICE IN DEFAMATION

- (Paul Mitchell) 639

EQUITY

- Constructive trust for breach of fidu-
ciary obligation
(Lionel Smith) 14

- ELECTION IN EQUITY: THE MYTH OF
MISTAKE
(Elise Bennett Histed) 621

- EQUITY'S PLACE IN THE LAW OF
COMMERCE
(P. J. Millett) 204

- The financier's duty of care to a
surety
(C. E. F. Rickett) 17

- Fiduciaries and discretion
(Stephen Moriarty) 9

- Limited liability for breach of fiduci-
ary duty
(Hans Tjio and T. M. Yeo) 181

- RESTITUTION AND CONSTRUCTIVE
TRUSTS
(P. J. Millett) 399

- A thoroughly conscionable decision
(Patrick Milne) 555

- UNDUE INFLUENCE AND UNCON-
SCIONABILITY: A RATIONALISA-
TION
(David Capper) 479

- Undue influence: *nullus finis litium*
(N. S. Price) 186

- W(h)ither knowing receipt?
(Lionel Smith) 394

ESTOPPEL

- New limits on proprietary estoppel
doctrine
(Mark Pawlowski) 351

EVIDENCE

- The death of *res ipsa loquitur* in
Canada
(Mitchell McInnes) 547

FAMILY LAW

- Do parents have a duty to consult?
(John Eekelaar) 337

FRAUD

- Attribution of contributory
negligence: agents, company
directors and fraudsters
(Andrew Bartlett) 460

HONG KONG

- Sovereignty in the new Hong Kong
(Richard S. Kay) 189

HUMAN RIGHTS

- Bringing rights home
(Sandra Fredman) 538

INJUNCTION

- Anti-suit injunctions—the House of
Lords declines to act as inter-
national policeman
(Edwin Peel) 543
Self-restraint in the High Court of
Australia
(Adrian Briggs) 27

INSOLVENCY

- English courts and international in-
solvency
(P. St. J. Smart) 46
Unregistered charges and unsecured
creditors
(Tan Cheng-Han) 565

INSURANCE

- Reinsurance aggregations
(Rob Merkin) 390

LANDLORD AND TENANT

- Exclusive possession, true agree-
ment and tenancy by estoppel
(Susan Bright) 345
Landlord's liability
(Tan Keng Feng) 193
The lender's Achilles heel?
(Michael Robinson) 354

LEGAL PROFESSION

- Lawyers' duties to the court
(D. A. Ipp) 63

MEDICAL LAW

- Causation and disclosure of medical
risks
(Tony Honoré) 52
Pregnancy, autonomy and refusal of
medical treatment
(Rebecca Bailey-Harris) 550

MENTAL HEALTH

- Liability for careless communication
of traumatic information
(Nicholas J. Mullany) 380

MINORS, INFANTS, CHILDREN
AND YOUNG PERSONS

- The state as a parent: the child-
ren act 1948 in retrospect
(S. M. Cretney) 419

MISTAKE

- Subrogation—a step to far?
(Peter Watts) 341

MORTGAGES

- Fiduciaries and discretion
(Stephen Moriarty) 9
The financier's duty of care to a
surety
(C. E. F. Rickett) 17
The lender's Achilles heel?
(Michael Robinson) 354
Subrogation—a step too far?
(Peter Watts) 341

NEGLIGENCE

- Attribution of contributory
negligence: agents, company
directors and fraudsters
(Andrew Bartlett) 460
Causation and disclosure of medical
risks
(Tony Honoré) 52
Contractual relational loss in Cana-
da
(I. N. Duncan Wallace) 370
Don't play with matches
(Mark Lunney) 377
Landlord's liability
(Tan Keng Feng) 193
Liability for careless communication
of traumatic information
(Nicholas J. Mullany) 380
The death of *res ipsa loquitur* in
Canada
(Mitchell McInnes) 547

PATENTS AND DESIGNS

- Spare parts and copyright
(George Wei) 39

POLICE

- Should the police be allowed to
use deceptive practices?
(Andrew Ashworth) 108

PRACTICE AND PROCEDURE

- Anonymous funders and abuse of
process
(Adrian Walters) 207
Staying a maintained cause of ac-
tion
(David Capper) 563

- PUBLIC AUTHORITIES AND PUBLIC OFFICERS
Don't play with matches
(Mark Lunney) 377
- RESTITUTION
Jurisdiction over unjust enrichment claims
(Graham Virgo) 386
- RESTITUTION AND CONSTRUCTIVE TRUSTS
(P. J. Millett) 399
- Restitutionary damages for breach of contract
(Mindy Chen-Wishart) 363
- Unjustified enrichment in Scots law: a further step towards rationalisation
(Parker Hood) 559
- SALE OF GOODS
The sale of goods and sale or return transactions
(Ian Brown) 198
- SCOTLAND
RECEPTIONS OF LAW, MIXED LEGAL SYSTEMS AND THE MYTH OF THE GENIUS OF SCOTS PRIVATE LAW
(Robin Evans-Jones) 228
- Unjustified enrichment in Scots law: a further step towards rationalisation
(Parker Hood) 559
- SINGAPORE
Unregistered charges and unsecured creditors
(Tan Cheng-Han) 565
- SUCCESSION
ELECTION IN EQUITY: THE MYTH OF MISTAKE
(Elise Bennett Histed) 621
- TRADE MARKS AND TRADE NAMES
INTELLECTUAL PROPERTY AND THE PROBLEM OF PARODY
(Michael Spence) 594
- TRUSTS AND SETTLEMENTS
Constructive trust for breach of fiduciary obligation
(Lionel Smith) 14
- Liability for interfering in a breach of trust
(R. B. Grantham and C. E. F. Rickett) 357
- RESTITUTION AND CONSTRUCTIVE TRUSTS
(P. J. Millett) 399
- W(h)ither knowing receipt?
(Lionel Smith) 394
- UNDUE INFLUENCE
UNDUE INFLUENCE AND UNCONSCIONABILITY: A RATIONALISATION
(David Capper) 479
- Undue influence: nullus in finis litium
(N. S. Price) 186
- UNITED STATES OF AMERICA
ALLOCATION OF FORGED CHEQUE LOSSES—COMPARATIVE ASPECTS, POLICIES AND A MODEL FOR REFORM
(Professor Benjamin Geva) 250
- WORDS AND PHRASES
Reconstructing the rules of construction
(P. V. Baker) 55

